

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:23-cr-72

vs.

JOSHUA RYAN FULLER,

District Judge Michael J. Newman

Defendant.

ORDER: (1) CONSTRUING THE STATUS REPORT AS A MOTION FOR NEW COUNSEL (Doc. No. 21); (2) TOLLING THE SPEEDY TRIAL ACT CLOCK; (3) VACATING THE DECEMBER 18, 2023 TRIAL DATE; AND (4) SCHEDULING A HEARING FOR DECEMBER 19, 2023 AT 3:00 P.M.

This criminal case comes before the Court on the parties' joint status report. Doc. No. 21. The Court finds that, interpreting the status report in Defendant's favor, Defendant requests a hearing to discuss the appointment of new counsel. Doc. No. 21. Thus, the Court **CONSTRUES** the status report as a motion for new counsel. This motion **TOLLS** the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(D).

Therefore, the Court **VACATES** the December 18, 2023 trial date and **SCHEDULES** a hearing on the motion for new counsel for December 19, 2023 at 3:00 P.M. The time until the hearing is **EXCLUDED** in computing the time period set forth in 18 U.S.C. § 3161 within which the United States must bring Defendant to trial.

IT IS SO ORDERED.

December 13, 2023

s/Michael J. Newman

Hon. Michael J. Newman

United States District Judge